

NO. 23-1229

IN THE UNITED STATES COURT OF APPEALS

FOR THE

FOURTH CIRCUIT

ANTHONY GUNTER

Plaintiff-Appellant

--- v ---

ALUTIIQ ADVANCED SECURITY SOLUTIONS LLC

Defendant-Appellees

ON APPEAL FROM THE UNITED STATES DISTRICT COURT OF MARYLAND
NORTHERN DISTRICT IN CASE NO. 1-2020-03410

OPENING BRIEF

Larry R. Seagull (federal Bar No. 22991)
Kathleen A. McGinley (Federal Bar No. 29150)
Jackson Lewis PC
2800 Quarry Lake Drive, Suite 200
Baltimore Maryland 21209
410.415-2004 (Direct)
410.415-2001 (facsimile)

Counsel for Defendant

Anthony Gunter
Pro-se
1030 Dumbarton Rd
Glen Burnie Md
21060
410.766-1615 (Direct)

Self-represented

JURISDICTIONAL STATEMENT

This case is on appeal from The United States District Court for Maryland (Northern Division). This court has jurisdiction over all US District Courts in Maryland, North Carolina, South Carolina, Virginia and West Virginia pursuant to 28 U.S.C. § 1291.

ISSUES PRESENTED FOR REVIEW

1. Whether the District Court abused its discretion when it dismissed this case.
2. Whether Judge Rubin has the ability to overrule Judge Bennetts order (ECF 68).
3. Whether the District Court abused its discretion when it ordered sanctions against the plaintiff
4. Whether Judge Rubin clearly has a bias against the plaintiff in her denial of the motion for recusal.
 - without giving any legitimate legal reason, based on the law other than denial.
5. Whether or not a lower Court within the jurisdiction of the Fourth Circuit Court of Appeals can
 - ignore the rulings of this Court. In other words Binding Precedents of a higher court.
6. Whether or not a District Court has to assess a party's ability to pay a court ordered monetary
 - sanction.
7. The final question is who is in charge, The US District Court of Appeals for the Fourth Circuit and
 - the law as it is written, or judge Rubin and the defendant Alutiiq Advanced Security Solutions.

STATEMENT OF THE CASE

This case is on appeal from the United States District Court Of Maryland Northern Division, because this case has been completely mishandled by judge Rebecca Rubin. Now this case is about whistle blower retaliation and discrimination. The Department of Home Land Security opened up an investigation into the defendant Alutiiq Advanced Security Solutions for violations of the false claims act on September 28th 2020, based on the direct evidence that was provided to the department by the plaintiff in this case, Anthony Gunter. Please see (ECF no. 43) the motion for summary judgment, within the exhibits list, exhibit 8 and 8a are the letters from the Department of Homeland Security. A Court of Appeals deals directly with errors of the law or in this case a blatant disregard for the Law. The first question on appeal is whether or not judge Rubin and thus this court abused its discretion by issuing two conflicting orders in the same case. One order issued by judge Bennet not to dismiss this case, based on sanctions being ordered and the defendant seeking outright dismissal. Secondly judge Rubin totally and completely ignoring judge Bennet's ruling and order and then dismissing this case on 03-02-2023 anyway. The next question is whether or not one District Court judge can overrule another District Court judge in the same Court. A motion to recuse judge Rubin was filed on 10-26-2022 and she denied that motion on 01-27-2023. In her denial of that motion she clearly refused to address the legal reasons cited in the request for Recusal because she has no legitimate legal response based on the law. She claimed that she had no interest in the outcome of this case. However if that were true, then she would have recused herself. The rule that governs recusal is not just whether a judge engages in impropriety, but also the appearance of impropriety. Judge Rubin's refusal to recuse herself is clear to me and many others, that she does infact have an interest in the outcome of this case. as the wording goes what would a casual observer say. Well all the people that I have talked too, which includes

federal agents, former chiefs of Police and regular citizens all say the same thing. What is her incentive, what is her motivation to remain on this case if it is not the law. Normal working class people have said to me how much is the defendant paying her to ignore the law. Now I understand that saying things like that at this level is improper, but put yourself in my shoes. I am a veteran of the US Army and multiple Police Departments, I've been shot in the line of duty and I have certainly earned the right to speak my mind. All federal Judges take an oath of office that says you will uphold the law and apply the law independent of your personal feelings and opinions. Judge Rubin has failed to keep that oath, when she says in her denial of the motion to recuse, that she has a different point of view and a different opinion. What in the name of creation does that have to do with the law as it is written. I have transported thousands of prisoners most recently for the Anne Arundel County Police Department to various courts for initial hearing, bond hearing, bail review hearing and initial hearing for how do you plea. All prisoners have a different point of view of the law and a different opinion to the law, that is why they break the law. The third question on appeal is whether or not this court abused it's discretion when it ordered sanctions in this case period. A hearing was held on April 14th 2022 in this case to determine whether or not the plaintiff fabricated two text messages that were submitted to this court by the plaintiffs attorney not the plaintiff. Now with out going any further this judge has said that the defendant cheating the Federal Government out of potentially millions of dollars on a federal contract means nothing, compared to two text messages on the plaintiffs personal cell phone. This is an insult to anyone who has a brain. What kind of message does that send to organizations or people who wish to defraud the government, engage in fraud and seek out a judge like judge Rubin who will ignore the law and look the other way. First and foremost, the False Claims Act is an anti-fraud Statue and the objective of Congress was broadly to protect the funds and property of the government. See (United States ex rel, Owens v. First Kuwaiti Gcn. Trading & Contr, Co. 612 F. 3D 724, 728 (4th Cir 2010). Congressional intent is to be placed above narrower bizarre interpretations of-out-of-context words or phrases. See Mann v. Heckler & Koch Def, Inc, 630 F. 3D 338, 343 (4th Cir 2010). Additionally, courts

must not outright ignore statutes in ways which frustrate Congressional intent, especially where it would allow wrongdoers to escape liability based on overly generous and self-serving interpretations of the law. The fourth question that I pose is whether or not this court will recognize the fact that this judge has a bias against the plaintiff in this case. I am bewildered by the fact that this court wants to characterize two text messages as so egregious, but ignores the defendant's own supervisor at the time Zackary Caster saying things like change the time on your time card dude because know body knows what time you came in. This is the law, well I spent 36 years on the wrong side of the law, This is clearly ridiculous and preposterous. This judge and thus this court wants to pretend that Anthony Gunter's personal cell phone and the messages he has sent to his former supervisor is a violation of law, when the law for false claims is clear and was written more than 150 years before the invention of cell phones. Given how ridiculous this way of thinking is, I will go into great detail a little later on in this brief that again will clearly show the outright refusal of judge Rubin to follow the law in this case as it is written. The record in this case is clear, Anthony Gunter was forced to take several physical readiness test that were not a part of the defendants contract. No other officers were required to take the same PT test, which is a clear violation of Title VII, yet this court and judge Rubin in particular wants to completely ignore direct violations of Federal Laws in favor of this defendant. The plaintiff has provided this court with direct evidence of several violations of law committed by this defendant and yet the District Court ignores direct evidence and instead orders sanctions on the false testimony of a so called expert witness who charged more than 13,000 dollars to come into court and lie on the witness stand. Accountability is a two way street, and judge Rubin and this defendant should be held accountable for there actions, because they are both guilty of breaking the law. Judge Rubin for acts of judicial misconduct by completely ignoring the Canons of proper judicial conduct in terms of honoring binding precedents from a higher court, and the defendant for direct violations of the False Claims Act and multiple Laws against discrimination on a Federal Contract on a US Coast Guard facility. So now let us go back to the beginning of this case.

The Honorable judge Richard D. Bennett was the original judge on this case. Now without rehashing the entire record the defendant filed a motion for sanctions (Ecf No. 50.) Judge Bennett referred this case to the honorable judge Mark Coulson (Ecf No. 45) for a report and recommendations, judge Coulson issued a report and recommendation on 12'28'2021 (Ecf No. 53). Judge Bennett went further and allowed the defendant to engage a forensic expert and conducted a motions hearing on 4/14/2022 (Ecf No. 62) and then Judge Bennett issued an order on 4/18/2022 (Ecf No. 68). Now in judge Coulsons report he recommended against dismissal of this case as a sanction. The main reason that judge Coulson recommended against dismissal is because without the two text messages in the plaintiffs phone, because they were lost or overwritten by the cell phone carrier after several years. There is no way to prove whether or not the plaintiff actually altered the defendants version of the two challenged or disputed text messages, further there is no meta data or clear forensic evidence that can clearly show any alterations of the two disputed text messages being challenged. Keep in mind that the defendants supervisor Zackary Caster had years to alter the text messages in dispute. Now judge Coulson claims that six text messages were recovered from the plaintiffs phone that explain the reasons why the defendant terminated the plaintiff, the Department of Homeland Security was not only investigating the defendant for retaliation for termination as a response for Whistle blowing, but also for failure to promote the most senior Officer and FMLA Interference. He also said that since a text message from 2017 was recovered from the plaintiffs phone, that somehow that disproved the plaintiffs explanation for the loss of the text messages in question that were overwritten by the cell phone carrier. However if that were true then the plaintiff would have made sure that those six text messages were permanently deleted. So clearly the plaintiff had nothing to do with the loss of any text messages in his phone nor had the ability to permanently delete any text messages period. The cell phone provider clearly controls what messages are deleted or overwritten period. This federal contract had the benefit of a union, which required a written explanation for the cause of any adverse action against a member of the union, Anthony Gunter was a protected member of the union. So this defendant failed to provide

on company letter head the reason for termination. Such a letter of termination would have to show that it was clearly from the Corporate office. Mr. Casters cell phone certainly doesn't satisfy that requirement. Again this defendant never notified the plaintiff Anthony Gunter in writing the reasons for his termination period. The Department of Home Land Security did not open up an investigation based solely on the two text messages that are in dispute, but only after several interviews with the plaintiff, determinations of actual credibility were made based on the history of performance by the plaintiff on several Top Secret Federal Government Contracts and the plaintiffs ability to maintain several high level security clearances. Example the many years that the plaintiff spent working with the Aysemetric Warfare Group on Ft. Meade during the War in Afghanistan. Further the plaintiff being trusted to protect General George Casey the US Army Chief of Staff at the time. Also working for several years on the Strategic National Stockpile Program, if anybody involved with this litigation even knows what that program is. In fact the two text messages that were challenged was never even considered by the Department of Homeland Security because the determination to investigate the defendant was decided based on direct evidence that the plaintiff provided to the Department of Homeland Security which clearly showed that the defendant violated the False Claims act. Further upon direct cross examination of the defendants own so called expert witness he was asked directly whether or not he could prove, or say under oath that the plaintiff ever received the defendants version of the disputed text message dated July 29th 2019, the so called IG text message, or the text message dated 08-20-2019 the FMLA text message. Mr. J. Christopher Racich of Vestigant LLC, Mr. expert witness Replied no he could not say that the plaintiff ever received the defendant's version of the disputed text messages, yet the plaintiff was held responsible for two disputed text messages that he never received, further Mr. Racich committed perjury multiple times by stating under oath that the text message dated 8-20-2019 had the exact same moment in time as another unrelated text message that was in the plaintiffs phone. This was clearly not true 2:42:24 and 2:42:26 is clearly not the exact same moment in time. In judge Bennetts order he two did not order dismissal and clearly explained the reason why it would not be proper and

literally did not warrant dismissal. Now on 04-29-2022 this case was reassigned to judge Rubin who had been sworn in by President Joe Biden on March 8th of 2022, which means that she had almost zero experience as a federal judge and thus no experience to draw from. However this is not an excuse to ignore the law or a higher Court. Now on 10/06/2022 judge Rubin conducted a telephone conference on the record (Ecf No. 78), and it is during this conference that judge Rubin made it clear to me that she has a bias and can not be impartial in this case. Now I would like to point out the fact that the order judge Rubin ordered on the record for a telephone conference dated 9-12-2022 was a paperless order knowing full well that the plaintiff did not have counsel and most pro-se plaintiff's would have no way of knowing about the conference. Clearly this was an attempt to find that since the plaintiff didn't participate in the conference that he then forfeited his case and she could then justify outright dismissal. To further prove this point, after the plaintiff did in fact participate in the conference suddenly all of judge Rubins subsequent orders were in normal form of notice by US mail. Judge Rubin said on the record that the court did not have to assess a party's ability to pay a court ordered sanction which is completely false and contrary to law, Like judge Bennett cited in his order (Ecf No. 68). Even if judge Rubin didn't say those exact words verbatim her actions clearly show that the Plaintiff was correct in his interpretation of the conversation. To further prove this point judge Rubin took more than eight months to falsely claim that the plaintiff has the ability to pay a sanction of 10,000 dollars. Judge Rubin claimed in here order for dismissal (Ecf no.86) that the plaintiff submitted a projected tax return for 4,400 dollars for the tax year ending in 2022, this is impossible because the documents that the plaintiff submitted were submitted in June of 2022 six months before the end of year 2022. There is no way that the plaintiff would know what dollar amount tax return he would receive six months before the end of the tax year. Judge Rubin claims that the plaintiff has made several misrepresentations to the court when she is flat out lying from the bench, which is reprehensible and clear cut judicial misconduct and a direct showing of bias from this judge in favor of the defendants. Judge Rubin further stated that the plaintiff was receiving unemployment and social security in the year 2022 at the same time which again

is a flat out lie please see exhibit (1) which is page (5) from the motion to seal (Ecf no. 73), the plaintiff provided the court with a letter from the unemployment office which clearly states that the plaintiffs benefits for unemployment ended in September of 2021 and that the plaintiff had no income for six months period. The Plaintiff-Appellant was approved for in-forma pauperis status by A higher Court based on the same information that the district court was given, the Higher Court made that determination in one business day. A court must assess ability to pay see *Astornet Techs. v. Bae Sys*, 201 F Supp. 3D 721,729 (Md. 2016) noting that a district court may not impose a monetary sanction without considering ability to pay, also see *Salvin v. Am. Nat Ins, Co*, 281 F Appx 222, 236 (4th Cir 2008) *In re Kunstler*, 914 F. 2D 505, 524 (4th Cir 1990). Inability to pay should be treated as reasonably akin to an affirmative defense. Judge Rubin went on to say that I needed to persuade her not to dismiss this case in spite of two federal judges orders not to dismiss this case. Exactly what part of the law requires a party to a law suit to persuade any judge of any thing, the facts of a case are what are supposed to dictate the application of law and not simple persuasion. Now the Honorable judge Richard Bennett is an Article III federal judge on senior status and is more than capable of evaluating a case and issuing the correct order based on the law and not his personal feeling unlike judge Rubin who needs to be persuaded to follow the law. Judge Bennett was sworn in by former president George Bush and unlike judge Rubin has the benefit of more than 15 years of experience on the federal bench and a clear respect for a higher court and what a binding precedent means. The court of appeals has said that Rule 60 (b) did not allow the second judge to substitute his own findings over the findings of the first judge, further no trial judge can reconsider or modify the decision of another see *Woolridge*, 357 N. C. At 550, 592 S. E. 2D at 194. Judge Rubin went on to say that she had some unlimited discretion that allowed her to overrule Judge Bennetts order and she had absolute authority to ignore any order of the court and dismiss this case period. She even went on to ask the defendants attorney Mr. Seagull if he could come up with any additional evidence to justify her dismissal of this case at which point she was clearly acting as an advocate for this defendant as if she was part of the defense and basically coaching and

giving legal advise to Mr. Seagull from the bench. Mr. Seagull stated on the record that the plaintiff could not prove retaliation Mr. Seagull went on to say that even if the attorneys fees were paid that some how that would not make the defendant whole. Then he went on to say that he could not explain to his client why this case had not been dismissed and that they wanted all fees associated with defending this case. Judge Rubin said yeah I know and I agree, Judge Rubin went on to say that just to award attorneys fees would not be enough and she needed to consider some combination of fees coupled with dismissal, which is clearly contrary to the Law. The law is clear, that it is not the function of a federal judge to show sympathy to any defendant, especially one that has broken the law and violated the false claims act and is under investigation by The Department of Homeland Security. In the order for dismissal issued by judge Rubin (Ecf no. 73) she said directly on the record that she feels something for the emotional toll that this case has had on Zackary Caster in particular clearly showing that (1) she has a bias towards the plaintiff and (2) she has some emotional connection to Zackary Caster I would go further and say that people generally have concern about the emotional well being of loved ones or family members, not defendants who have broken federal laws. So within the very principle of being impartial that statement doesn't demonstrate true impartiality, if anything it shows at a minimum that these two have some kind of relationship outside of these proceedings. When a defendant breaks the Law, they incur all the fees and cost associated with trying to defend themselves. Further Judge Rubin has no regard for the thousands of dollars that the plaintiff has spent trying to bring this defendant to justice and be held accountable for the violation of several federal laws. This court and Judge Rubin wants to keep hiding behind the theme that some how the merits of this case do not count and the focus should be exclusively on two text messages. The Law is clear about Protracted re-argument of the same issues without new and different facts. To overrule a District Court Judge is the function of a higher court and not a fellow District Court Judge in the same Court. Now the Supreme Court has held that there has to be a showing of material change in circumstances see (Duvall, 304 N.C. at 562, 284 S. E. 2D at 498-99) also see Calloway v. Ford Motor Co. 189 S. E. 2D 484 (1972)

281 N. C 496. this is commonly referred to as the Calloway test. “ The Supreme Court has held that the normal reviewing function of appellate courts would be usurped akin to judge shopping if District Court Judges could simply overrule or modify another judges findings and orders without a clear change in circumstances. Further a judge must be able to delineate the change in circumstances that justifies any modification. There has been no material changes in this case only a change of judges!!! It is crystal clear that judge Rubin dismissed this case in pure retaliation, because the plaintiff filed a motion for her to recuse herself (Ecf no.79). She even went further and posted the transcript from the telephone conference held on October 6th 2022 (Ecf no. 84) to somehow justify her clear abuse of discretion and dismiss this case. The United States Court of Appeals for the Fourth Circuit reviews a District Court’s decision to dismiss a case for an abuse of discretion, see *Projects Mgmt. v. Dyncorp Int’ LLC*, 734 F.3d 366, 373 (4th Cir 2013) and *United States v. Shaffer Equip. Co*, 11 F. 3D 450, 462 (4th Cir. 1993). A lower court may not rule against a binding precedent, both the Shaffer case and the Calloway cases are binding precedent cases. Once again the Court of Appeals for the Fourth Circuit has made it clear that cases be decided on there merits, in the Shaffer case in particular the court averred that outright dismissal was not required to punish and deter effectively the misconduct in question and to repair the wrongs done to the defendants, Thus the court vacated the judgment and remanded the case back to the District Court. Also see *Davis v. Williams*, 558 F. 2D 69, 70 (4th Cir 1978). Dismissal would be a Deprivation of Right of Due Process to the plaintiff in this case and a clear showing of bias from Judge Rubin, now Judge Rubin is guilty of judicial misconduct. When a judge clearly ignores the law, that judge is guilty of judicial misconduct. When a judge’s conduct is prejudicial to the effective and expeditious administration of the business of the courts, that judge is guilty of judicial misconduct, it doesn’t take 8 months to determine a party’s ability to pay a court ordered sanction as clearly demonstration by The Fourth Circuit Court of Appeals, which again took all of one day to make such a determination. A District Court abuses its discretion, when it acts arbitrarily or irrationally, fails to consider judicially recognized factors constraining its exercise of discretion, relies on erroneous factual

or legal premises or commits an error of law. See *United States v. Dillard*, 891F. 3D 151, 158 (4th Cir. 2018) Also see *L.J.v. Wilbon*, 633 F.3d 297, 304 (4th Cir. 2011). This language is coming strait from the US Court of Appeals for the Fourth Circuit. Now judge Rubin signed the motion to seal financial documents submitted by the plaintiff, on 07-01-2022, in order for the court to determine the plaintiffs ability to pay the sanctions ordered by judge Bennett on 04-18-2022. However since that time she has failed to execute her judicial duties by not making a determination on the plaintiff's ability to pay in over 8 months. Instead in her order to deny the motion to recuse (Ecf no.83) dated 01-27-2023 she claims that the motion for sanctions and dismissal is still pending as if judge Bennett did not make a ruling on 04-18-2022 (Ecf no. 68). Will someone in this court explain to me, how after a judge has issued an order and the clerk has entered that ruling and order on the record that some how that motion is still pending. Now this is the final case that I will cite see *Shaffer v Gaither* 5:2014 cv 00106. (4th Cir) Here, the defendant alleges that the plaintiff changed the name of the sender from "Jay Gaither" to "Walter Skinner" in text message conversations. Even if true, the alleged alteration does not rise to the level necessitating, the extreme sanction of dismissal, just like judge Bennett explained in his order (Ecf no. 68). Again judge Rubin saying that she has a different point of view is absurd and has nothing to do with the law. Indeed the 2015 Amendments to the Federal Rules of Civil Procedure require this court to provide sanctions that are proportional to any alleged misconduct. Under Rule 37 (e) (1), the court may take action no greater than necessary to cure the prejudice resulting from the loss of or alleged alterations. Rule 37 (e) 2 allows treatment of loss or again alleged alterations under spoliation only where the party acted with an intent to deprive. Like judge Bennett explained in his order (Ecf no.68) The defendant will be allowed to fully explore the alleged document alterations in front of the jury, making the alleged alterations an issue of weight, not admissibility. It is for the jury to determine an issue of weight, not admissibility. It is for the jury to determine how much weight it will give to the alleged alterations. Now as stated who is in charge, judge Rubin and the defendant contends that not only is the plaintiff wrong. But also the Department of Homeland Security, The Fourth Circuit Court of

Appeals based on binding precedents from prior rulings, but also the Congress of the United States and again two federal judges. What kind of precedent will this case set if this court ignores these facts and blindly goes along with this utter nonsense which is akin to treason because it goes against the well established rule of law and Civil Procedure. Judge Rubin went to the extreme of vacating the actual memorandum and opinion of the Honorable Judge Bennett which is unprecedented, as if Judge Bennett is not entitled to his own opinion. Judge Rubin stated in her order for dismissal that she has equal discretion to the honorable judge Bennett. Equal to is not greater than, that's why America has a system of checks and balances, Judge Rubin seems to think that she has some power greater than the Fourth Circuit Court of Appeals. She thinks she has some power equal to that of a supreme court justice (utterly ridiculous). The Fourth Circuit Court of Appeals has a power greater than a United States District Court trial judge and the United States Supreme Court has a power greater than all Courts of Appeal. Well Justice Kennedy famously said that "we see nothing in the Constitution requiring us to view the individual Article III Federal judge as an absolute Monarch, restrained only by the risk of appeal, Mandamus and like writs, the criminal law, or impeachment itself." The judges remarks imply a bias, that is preconception or a predetermined point of view that could impugn the impartiality and open mindedness necessary to make correct and sound determinations in the application of the law. When a judges remarks, reasonably understood, constitute the expression of a bias, The reasonable interpretation, public perception and common understanding of these remarks would be indicative of a bias and lack of impartiality. If a judge fails to exercise judicial discretion, with restraint, the "mere legal error" rule is not a defense to a charge of misconduct based on his or her resulting decision. When a judge acts out of pique or to exact revenge, the judge's decision loses the protection of the "mere legal error" rule. Further for this court to outright ignore the fact that the Department of Homeland Security opened up an investigation into the fraudulent activities of this defendant is one Hell of an insult to the men and woman who put their lives on the line to protect and defend the United States of America. I am proud to be a veteran of the US Army who was Honorable discharged with tours in

Panama when Noriega was the military leader in Panama also the crisis in the Falkland Islands and Desert Storm number one. Yet this court wants to give some great value to some so called expert who charged 13,000 dollars to come into court and commit perjury on the stand in open court which is clearly on the record. Now there is a reason why the Judiciary has put three Circuit Judges on the Court of Appeals for the Fourth Circuit and that is so that one judge can't ignore the Law or show favoritism to one party or another in any law suit. Also to ensure that justice is even across the board and not subject to the whim or miss guided interpretation of the law as it is written by one judge who has a prejudice against any party to a law suit. Finally I ask this Honorable Court to reconsider the motion for summary judgment (Ecf no. 43) the plaintiff has provided the district court with direct evidence of violations of several federal laws and yet the lower court refuses to apply the law and instead has sympathy for the emotional toll that this law suit has had on the defendants especially Zackary Caster and Larry Seagull. The United States District Court of Maryland (Northern Division) has shown an inability to execute the timely administration of justice, the inability to recognize established judicial factors in the exercise of discretion. If this High Court simply remands this case to the same judge she again will retaliate so in the alternative, A new judge who respects the law should be assigned to resolve this case, or a change of venue to the United States District Court for the southern district of Maryland.

Dated 3-10-2023

Respectfully submitted

Anthony Gunter pro-se

Anthony Gunter

Gunter has not worked a full time job or any job since August of 2019. Therefor the plaintiff can not pay any sanction. The plaintiff was receiving unemployment benefits until September of 2021 when they were ended by the government. See exhibit # 1 from the unemployment office. The plaintiff has been without any income from September of 2021 until March of 2022 when he began receiving a small Social Security check. Unfortunately on January 17th of 2022 my wife of 20 years suddenly died see exhibit #2 which is her death certificate, she worked as a nurse her entire career and was exposed to covid-19 for a long time before the public even became aware of it's deadly effects. Her sudden death has caused a financial hardship for myself and my twelve year old son. More specifically the lost of her income has caused me to fall behind on my mortgage payments and other bills. So I certainly don't have the ability to pay any sanction. I have included under seal my bank statements and mortgage information and other debts bills and financial obligations. Finally judge Bennett did not award the defendant any attorney's fees in the order that I received, however the defendant included those fees in their list of costs.

Respectfully submitted

Anthony Gunter

Anthony Gunter
5-23-2022

(Exhibit #1)

NO. 23-1229

IN THE UNITED STATES COURT OF APPEALS

FOR THE

FOURTH CIRCUIT

ANTHONY GUNTER

Plaintiff-Appellant

--- v ---

ALUTIIQ ADVANCED SECURITY SOLUTIONS LLC

Defendant-Appellees

ON APPEAL FROM THE UNITED STATES DISTRICT COURT OF MARYLAND
NORTHERN DISTRICT IN CASE NO. 1-2020-03410

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 10th 2023 that the defendants in this case were notified via email of the OPENING BRIEF also that a copy of the OPENING BRIEF AND REQUEST FOR TRANSCRIPT was sent via US Mail on March 13th 2023 first class, postage pre-paid to.

Counsel for Defendant
410.415-2004
Larry R. Seagull (federal Bar No. 22991)
Kathleen A. McGinley (Federal Bar No. 29150)
Jackson Lewis PC
2800 Quarry Lake Drive, Suite 200
Baltimore Maryland 21209
410.415-2004 (Direct)

Pro-Se
Anthony Gunter
Anthony Gunter
1030 Dumbarton Rd
Glen Burnie Md
21060
410.766-1615 (Direct)
Dated 3-10-2023

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WASHINGTON, D.C. 20540
2023-1550

THE UNITED STATES OF AMERICA, by and through the undersigned, respectfully submits the following in support of its petition for writ of habeas corpus and for writ of certiorari to the Supreme Court of the United States:

OBJECTION TO ADOPTION

MOBILE, ALABAMA, by and through the undersigned, respectfully submits the following in support of its petition for writ of habeas corpus and for writ of certiorari to the Supreme Court of the United States:

Respectfully submitted,

UNITED STATES DEPARTMENT OF JUSTICE

By _____

UNITED STATES

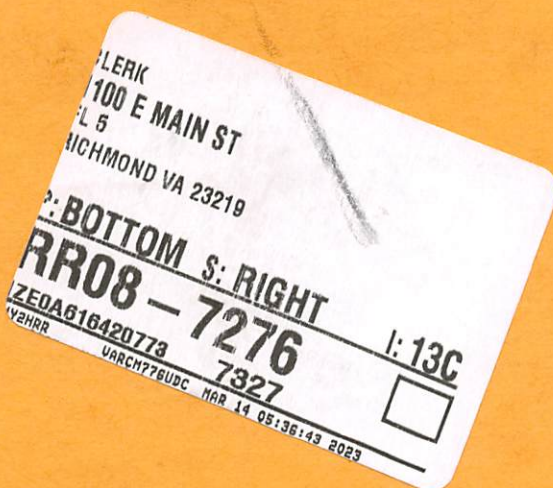
FOURTH CIRCUIT

FOR THE

IN THE UNITED STATES COURT OF APPEALS

NO. 23-1550

Anthony Gunter
 30 Dumbarton RD
 Glen Burnie MD
 10600



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ANTHONY GUNTER
 (410) 707-0368
 THE UPS STORE #1034
 6720 RITCHIE HWY
 GLEN BURNIE MD 21061-2892

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